

DEPARTMENTAL POLICY AND PROCEDURE

TITLE: **Banning Persons from College Property**

EFFECTIVE DATE: December 19, 2014 (*Procedural Update 11/415*)

CANCELLATION: none

DIVISION: Campus Police (POL)

PROCEDURES & SPECIFIC INFORMATION

1. **Purpose**

To publish procedures for banning persons from College property when deemed necessary for the safety and welfare of students, faculty, staff, and visitors.

2. **Scope and Applicability**

This policy and procedure applies to all students, faculty, staff, and visitors on all Delgado campuses and sites, including any property owned, leased or controlled by the College.

3. **Safety and Welfare Guidelines**

Delgado Community College is committed to the safety and welfare of students, faculty, staff and visitors through the establishment of reasonable practices that:

- Support a safe and secure environment in all buildings and grounds owned, leased and/or operated by the College;
- Promote safety through policies and programs;
- Provide an appropriate level of security for College functions and activities; and
- Safeguard the College's property and physical assets.

4. **Banning Authority and Procedures**

A. With the approval of the Director of Campus Police when circumstances require, sworn Officers of the Delgado Community College Police Department (DCCPD) are authorized to temporarily forbid any person from entering or remaining in or on any College property through the issuance of a Ban Notification Form.

- B. With the approval of the Director of Campus Police, sworn DCCPD officers are authorized to issue a Ban Notification when the actions of a person(s) are considered serious enough to be a threat to the College community including, but not limited to crimes of violence against persons or property, or when the behavior is persistent enough to alarm or disturb a reasonable person engaged in legitimate College business, or is disruptive to the operation of the College.

The following examples include, but are not limited to, behaviors that may result in the issuance of a Ban Notification:

- Commission or conviction of any criminal offense on or off College property;
 - Violation of College policies or rules; and/or
 - Engaging in behavior or conduct that presents a threat to College property or a member of the College community, including students, faculty, staff and visitors.
- C. The person receiving the Ban Notification Form will be requested to sign the form, but if he/she refuses to sign, the Officer issuing the Ban Notification will document the refusal to sign on the form.
- D. If the person is not present on College property, he/she is verbally advised that he/she is banned from all property owned, leased or controlled by the College. The Officer advising the individual documents the Ban Notification on a Delgado Community College Police Report.
- E. The Ban Notification Form includes the following information:
- The name, address, date of birth, identification (ID) information, and phone number of the person being banned;
 - The name of the officer issuing the ban, as well as the officer's supervisor's name;
 - Police item number;
 - Information on if/how the banned person may return to the College's property;
 - Actions that will be taken if the person returns to College property; and
 - The name of the person to contact in reference to the Ban Notification.
- F. The Campus Police Office provides a copy of the ban notification and police report to the Vice Chancellor for Student Affairs and the Office of Student Life for banned students within 24 hours of the issuance. Any student receiving a Ban Notification will be subject to the College's [Student Judicial Code](#), as applicable.
- G. The Campus Police Office provides a copy of the ban notification and police report to the Assistant Vice Chancellor for Human Resources for banned employees within 24 hours of the issuance. Any employee receiving a Ban Notification will be subject to the College's [Discipline policy](#), as applicable.

5. **Appeal**

- A. Any person who has been issued a Ban Notification may appeal the decision. The appeal process is not applicable to any criminal charge(s), which are resolved through the appropriate court system.

- B. *Appeals by banned students or applicants* will be processed in accordance with the College's Student Judicial Code's [Student Judicial Procedures](#), as applicable.
- C. *Appeals by banned employees* will be addressed by the Assistant Vice Chancellor for Human Resources and will be processed in accordance with the College's [Discipline policy](#), as applicable.
- D. *For appeals by banned visitors:*
 - 1. Signed appeals must be submitted in writing addressed to the Director of Campus Police within seven (7) business days of the Ban Notification issuance. Appeals must be hand-delivered through another individual or mailed to: Delgado Campus Police Department, 615 City Park Avenue, New Orleans, LA 70119.
 - 2. Written appeals must include the following information:
 - Contact information, including address, telephone number and email address of the person banned from College property;
 - Date and location of Ban Notification Form issuance;
 - Reason for being on College property at the time of the incident;
 - Future need to be on College property;
 - Any other information requested for consideration; and
 - Whether a hearing is requested.
 - 3. Failure to file a timely appeal shall be considered a waiver of the right to appeal. Upon receipt of a timely appeal by a banned visitor, the Campus Police Office will gather all appropriate information and forward all documents and information to the Director of Campus Police. The decision as to whether to hold a hearing is within the Director of Campus Police's discretion. In the event that a hearing is held, the Director of Campus Police will conduct a hearing as soon as possible. At the hearing, the banned person will be given an opportunity to present or dispute relevant information.
 - 4. As applicable, Director of Campus Police will sustain, rescind or modify the visitor's Ban Notification in a written decision that will be mailed to the address provided in the written appeal.
- E. If an appeal is filed, the restrictions set forth in the Ban Notification will remain in effect until the appeal process is completed. If the Ban is sustained and the individual returns to a restricted area, he or she will be subject to arrest under City of New Orleans Municipal Code 271 MCS 54-153 relative to Criminal Trespassing and/or other applicable city ordinances.

Attachment:

Ban Notification Form, Form POL-001

Review Process:

Ad Hoc Committee on Banning Procedures – Campus Police, Student Affairs, Human Resources 12/16/14
Business and Administrative Affairs Council 12/19/14

Approval:

Vice Chancellor for Business and Administrative Affairs 12/19/14
Procedural Update Approval – Vice Chancellor for Business and Administrative Affairs 11/4/15



CAMPUS POLICE DEPARTMENT

615 City Park Avenue
New Orleans, LA 70119
(504) 671-6112 Fax (504) 483-4240
www.dcc.edu

BAN NOTIFICATION

Name: _____

Address: _____

Date of Birth: _____ **I.D.#:** _____

(Include ID Type: Student ID, Driver's License, etc.)

Phone Number: _____ **Ban Expiration Date:** _____

You were involved in an incident investigated under Police Item Number _____ and the investigation determined your behavior is a threat to the safety of Delgado Community College community.

Therefore, you are not to return to any Delgado campus, site or property owned, leased or operated by the College without obtaining permission from the Delgado Community College Police Department via telephone number (504) 671-6112 prior to your arrival. You must provide the date, time, location, and reason for your visit at the time you call. You must be escorted by a Delgado Police Officer in order to enter on any College property.

Failure to follow the previously listed instructions and appear on College property without prior approval will result in your arrest for City of New Orleans Municipal Code 271 MCS 54-153 relative to Criminal Trespassing.

Students receiving this ban notification will be contacted by a Student Affairs representative regarding this matter. An employee receiving this ban notification will be contacted by his/her Supervisor or a Human Resources representative regarding this matter.

Signature (acknowledging receipt of this form)

Date/Time

Officer's Signature

Date/Time

Officer's Supervisor's Signature

Date/Time

Director, Campus Police

Date/Time